



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0519

Introduced 2/4/2009, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

40 ILCS 5/3-110.6	from Ch. 108 1/2, par. 3-110.6
40 ILCS 5/5-236	from Ch. 108 1/2, par. 5-236
40 ILCS 5/7-139.8	from Ch. 108 1/2, par. 7-139.8
40 ILCS 5/9-121.10	from Ch. 108 1/2, par. 9-121.10
40 ILCS 5/14-110	from Ch. 108 1/2, par. 14-110
40 ILCS 5/15-134.4	from Ch. 108 1/2, par. 15-134.4
30 ILCS 805/8.33 new	

Amends the Illinois Pension Code. In provisions concerning the alternative formula, provides that, subject to the limitation in subsection (i), a State policeman, conservation police officer, investigator for the Office of the Attorney General, or investigator for the Secretary of State (was, a State policeman, conservation police officer, or investigator for the Secretary of State) may elect to establish eligible creditable service for up to 5 years of service as a police officer under Article 3, a policeman under Article 5, a sheriff's law enforcement employee, a person employed by a participating municipality to perform police duties, or law enforcement officer employed on a full-time basis by a forest preserve district (was, just a sheriff's law enforcement employee) under Article 7, a member of the county police department, a county corrections officer, or a court services officer (was, just a member of the county police department) under Article 9, or a police officer under Article 15 by filing a written election with the Board and paying to the System a specified amount. Makes conforming changes in the Downstate Police, Chicago Police, IMRF, Cook County, and State Universities Articles. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 04706 AMC 14768 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Sections 3-110.6, 5-236, 7-139.8, 9-121.10, 14-110, and
6 15-134.4 as follows:

7 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

8 Sec. 3-110.6. Transfer to Article 14 System.

9 (a) Any active member of the State Employees' Retirement
10 System who is a State policeman, an investigator for the
11 Secretary of State, a conservation police officer, an
12 investigator for the Office of the Attorney General, an
13 investigator for the Office of the State's Attorneys Appellate
14 Prosecutor, or a controlled substance inspector may apply for
15 transfer of some or all of his or her creditable service
16 accumulated in any police pension fund under this Article to
17 the State Employees' Retirement System in accordance with
18 Section 14-110. The creditable service shall be transferred
19 only upon payment by the police pension fund to the State
20 Employees' Retirement System of an amount equal to:

21 (1) the amounts accumulated to the credit of the
22 applicant for the service to be transferred on the books of
23 the fund on the date of transfer; and

1 (2) employer contributions in an amount equal to the
2 amount determined under subparagraph (1); and

3 (3) any interest paid by the applicant in order to
4 reinstate service to be transferred.

5 Participation in the police pension fund with respect to the
6 service to be transferred shall terminate on the date of
7 transfer.

8 (b) Any person applying to transfer service under this
9 Section may reinstate service that was terminated by receipt of
10 a refund, by paying to the police pension fund the amount of
11 the refund with interest thereon at the rate of 6% per year,
12 compounded annually, from the date of refund to the date of
13 payment.

14 (Source: P.A. 95-530, eff. 8-28-07.)

15 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

16 Sec. 5-236. Transfer to Article 14.

17 (a) Any active member of the State Employees' Retirement
18 System who is a State policeman, conservation police officer,
19 an investigator for the Office of the Attorney General, or
20 investigator for the Secretary of State may apply for transfer
21 of some or all of his or her creditable service accumulated
22 under this Article to the State Employees' Retirement System in
23 accordance with Section 14-110. At the time of the transfer the
24 Fund shall pay to the State Employees' Retirement System an
25 amount equal to:

1 (1) the amounts accumulated to the credit of the
2 applicant for the service to be transferred on the books of
3 the Fund on the date of transfer; and

4 (2) the corresponding municipality credits, including
5 interest, on the books of the Fund on the date of transfer;
6 and

7 (3) any interest paid by the applicant in order to
8 reinstate service to be transferred.

9 Participation in this Fund with respect to the service to be
10 transferred shall terminate on the date of transfer.

11 (b) Any such State policeman, conservation police officer,
12 or investigator for the Secretary of State may reinstate
13 service that was terminated by receipt of a refund, by paying
14 to the Fund the amount of the refund with interest thereon at
15 the rate of 6% per year, compounded annually, from the date of
16 refund to the date of payment.

17 (c) Within 30 days after the effective date of this
18 amendatory Act of 1993, any active member of the State
19 Employees' Retirement System who was earning eligible
20 creditable service under subdivision (b)(12) of Section 14-110
21 on January 1, 1992 and who has at least 17 years of creditable
22 service under this Article may apply for transfer of his
23 creditable service accumulated under this Article to the State
24 Employees' Retirement System. At the time of the transfer the
25 Fund shall pay to the State Employees' Retirement System an
26 amount equal to:

1 (1) the amounts accumulated to the credit of the
2 applicant on the books of the Fund on the date of transfer;
3 and

4 (2) the corresponding municipality credits, including
5 interest, on the books of the Fund on the date of transfer.

6 Participation in this Fund shall terminate on the date of
7 transfer.

8 (Source: P.A. 95-530, eff. 8-28-07.)"; and

9 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

10 Sec. 7-139.8. Transfer to Article 14 System.

11 (a) Any active member of the State Employees' Retirement
12 System who is a State policeman, an investigator for the
13 Secretary of State, a conservation police officer, an
14 investigator for the Office of the Attorney General, an
15 investigator for the Office of the State's Attorneys Appellate
16 Prosecutor, or a controlled substance inspector may apply for
17 transfer of some or all of his or her credits and creditable
18 service accumulated in this Fund for service as a sheriff's law
19 enforcement employee, person employed by a participating
20 municipality to perform police duties, or law enforcement
21 officer employed on a full-time basis by a forest preserve
22 district to the State Employees' Retirement System in
23 accordance with Section 14-110. The creditable service shall be
24 transferred only upon payment by this Fund to the State
25 Employees' Retirement System of an amount equal to:

1 (1) the amounts accumulated to the credit of the
2 applicant for the service to be transferred, including
3 interest; and

4 (2) municipality credits based on such service,
5 including interest; and

6 (3) any interest paid by the applicant to reinstate
7 such service.

8 Participation in this Fund as to any credits transferred under
9 this Section shall terminate on the date of transfer.

10 (b) Any person applying to transfer service under this
11 Section may reinstate credits and creditable service
12 terminated upon receipt of a separation benefit, by paying to
13 the Fund the amount of the separation benefit plus interest
14 thereon at the rate of 6% per year to the date of payment.

15 (Source: P.A. 95-530, eff. 8-28-07.)

16 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)
17 Sec. 9-121.10. Transfer to Article 14.

18 (a) Any active member of the State Employees' Retirement
19 System who is a State policeman, investigator for the Office of
20 the Attorney General, investigator for the Secretary of State,
21 or conservation police officer may apply for transfer of some
22 or all of his creditable service as a member of the County
23 Police Department, a county corrections officer, or a court
24 services officer accumulated under this Article to the State
25 Employees' Retirement System in accordance with Section

1 14-110. At the time of the transfer the Fund shall pay to the
2 State Employees' Retirement System an amount equal to:

3 (1) the amounts accumulated to the credit of the
4 applicant on the books of the Fund on the date of transfer
5 for the service to be transferred; and

6 (2) the corresponding municipality credits, including
7 interest, on the books of the Fund on the date of transfer;
8 and

9 (3) any interest paid by the applicant in order to
10 reinstate such service.

11 Participation in this Fund with respect to the credits
12 transferred shall terminate on the date of transfer.

13 (b) Any person applying to transfer service under this
14 Section may reinstate credit for service as a member of the
15 County Police Department that was terminated by receipt of a
16 refund, by paying to the Fund the amount of the refund with
17 interest thereon at the rate of 6% per year, compounded
18 annually, from the date of refund to the date of payment.

19 (Source: P.A. 95-530, eff. 8-28-07.)

20 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

21 Sec. 14-110. Alternative retirement annuity.

22 (a) Any member who has withdrawn from service with not less
23 than 20 years of eligible creditable service and has attained
24 age 55, and any member who has withdrawn from service with not
25 less than 25 years of eligible creditable service and has

1 attained age 50, regardless of whether the attainment of either
2 of the specified ages occurs while the member is still in
3 service, shall be entitled to receive at the option of the
4 member, in lieu of the regular or minimum retirement annuity, a
5 retirement annuity computed as follows:

6 (i) for periods of service as a noncovered employee: if
7 retirement occurs on or after January 1, 2001, 3% of final
8 average compensation for each year of creditable service;
9 if retirement occurs before January 1, 2001, 2 1/4% of
10 final average compensation for each of the first 10 years
11 of creditable service, 2 1/2% for each year above 10 years
12 to and including 20 years of creditable service, and 2 3/4%
13 for each year of creditable service above 20 years; and

14 (ii) for periods of eligible creditable service as a
15 covered employee: if retirement occurs on or after January
16 1, 2001, 2.5% of final average compensation for each year
17 of creditable service; if retirement occurs before January
18 1, 2001, 1.67% of final average compensation for each of
19 the first 10 years of such service, 1.90% for each of the
20 next 10 years of such service, 2.10% for each year of such
21 service in excess of 20 but not exceeding 30, and 2.30% for
22 each year in excess of 30.

23 Such annuity shall be subject to a maximum of 75% of final
24 average compensation if retirement occurs before January 1,
25 2001 or to a maximum of 80% of final average compensation if
26 retirement occurs on or after January 1, 2001.

1 These rates shall not be applicable to any service
2 performed by a member as a covered employee which is not
3 eligible creditable service. Service as a covered employee
4 which is not eligible creditable service shall be subject to
5 the rates and provisions of Section 14-108.

6 (b) For the purpose of this Section, "eligible creditable
7 service" means creditable service resulting from service in one
8 or more of the following positions:

9 (1) State policeman;

10 (2) fire fighter in the fire protection service of a
11 department;

12 (3) air pilot;

13 (4) special agent;

14 (5) investigator for the Secretary of State;

15 (6) conservation police officer;

16 (7) investigator for the Department of Revenue;

17 (8) security employee of the Department of Human
18 Services;

19 (9) Central Management Services security police
20 officer;

21 (10) security employee of the Department of
22 Corrections or the Department of Juvenile Justice;

23 (11) dangerous drugs investigator;

24 (12) investigator for the Department of State Police;

25 (13) investigator for the Office of the Attorney
26 General;

- 1 (14) controlled substance inspector;
- 2 (15) investigator for the Office of the State's
- 3 Attorneys Appellate Prosecutor;
- 4 (16) Commerce Commission police officer;
- 5 (17) arson investigator;
- 6 (18) State highway maintenance worker.

7 A person employed in one of the positions specified in this
8 subsection is entitled to eligible creditable service for
9 service credit earned under this Article while undergoing the
10 basic police training course approved by the Illinois Law
11 Enforcement Training Standards Board, if completion of that
12 training is required of persons serving in that position. For
13 the purposes of this Code, service during the required basic
14 police training course shall be deemed performance of the
15 duties of the specified position, even though the person is not
16 a sworn peace officer at the time of the training.

17 (c) For the purposes of this Section:

18 (1) The term "state policeman" includes any title or
19 position in the Department of State Police that is held by
20 an individual employed under the State Police Act.

21 (2) The term "fire fighter in the fire protection
22 service of a department" includes all officers in such fire
23 protection service including fire chiefs and assistant
24 fire chiefs.

25 (3) The term "air pilot" includes any employee whose
26 official job description on file in the Department of

1 Central Management Services, or in the department by which
2 he is employed if that department is not covered by the
3 Personnel Code, states that his principal duty is the
4 operation of aircraft, and who possesses a pilot's license;
5 however, the change in this definition made by this
6 amendatory Act of 1983 shall not operate to exclude any
7 noncovered employee who was an "air pilot" for the purposes
8 of this Section on January 1, 1984.

9 (4) The term "special agent" means any person who by
10 reason of employment by the Division of Narcotic Control,
11 the Bureau of Investigation or, after July 1, 1977, the
12 Division of Criminal Investigation, the Division of
13 Internal Investigation, the Division of Operations, or any
14 other Division or organizational entity in the Department
15 of State Police is vested by law with duties to maintain
16 public order, investigate violations of the criminal law of
17 this State, enforce the laws of this State, make arrests
18 and recover property. The term "special agent" includes any
19 title or position in the Department of State Police that is
20 held by an individual employed under the State Police Act.

21 (5) The term "investigator for the Secretary of State"
22 means any person employed by the Office of the Secretary of
23 State and vested with such investigative duties as render
24 him ineligible for coverage under the Social Security Act
25 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
26 218(1)(1) of that Act.

1 A person who became employed as an investigator for the
2 Secretary of State between January 1, 1967 and December 31,
3 1975, and who has served as such until attainment of age
4 60, either continuously or with a single break in service
5 of not more than 3 years duration, which break terminated
6 before January 1, 1976, shall be entitled to have his
7 retirement annuity calculated in accordance with
8 subsection (a), notwithstanding that he has less than 20
9 years of credit for such service.

10 (6) The term "Conservation Police Officer" means any
11 person employed by the Division of Law Enforcement of the
12 Department of Natural Resources and vested with such law
13 enforcement duties as render him ineligible for coverage
14 under the Social Security Act by reason of Sections
15 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
16 term "Conservation Police Officer" includes the positions
17 of Chief Conservation Police Administrator and Assistant
18 Conservation Police Administrator.

19 (7) The term "investigator for the Department of
20 Revenue" means any person employed by the Department of
21 Revenue and vested with such investigative duties as render
22 him ineligible for coverage under the Social Security Act
23 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
24 218(1)(1) of that Act.

25 (8) The term "security employee of the Department of
26 Human Services" means any person employed by the Department

1 of Human Services who (i) is employed at the Chester Mental
2 Health Center and has daily contact with the residents
3 thereof, (ii) is employed within a security unit at a
4 facility operated by the Department and has daily contact
5 with the residents of the security unit, (iii) is employed
6 at a facility operated by the Department that includes a
7 security unit and is regularly scheduled to work at least
8 50% of his or her working hours within that security unit,
9 or (iv) is a mental health police officer. "Mental health
10 police officer" means any person employed by the Department
11 of Human Services in a position pertaining to the
12 Department's mental health and developmental disabilities
13 functions who is vested with such law enforcement duties as
14 render the person ineligible for coverage under the Social
15 Security Act by reason of Sections 218(d)(5)(A),
16 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
17 means that portion of a facility that is devoted to the
18 care, containment, and treatment of persons committed to
19 the Department of Human Services as sexually violent
20 persons, persons unfit to stand trial, or persons not
21 guilty by reason of insanity. With respect to past
22 employment, references to the Department of Human Services
23 include its predecessor, the Department of Mental Health
24 and Developmental Disabilities.

25 The changes made to this subdivision (c)(8) by Public
26 Act 92-14 apply to persons who retire on or after January

1 1, 2001, notwithstanding Section 1-103.1.

2 (9) "Central Management Services security police
3 officer" means any person employed by the Department of
4 Central Management Services who is vested with such law
5 enforcement duties as render him ineligible for coverage
6 under the Social Security Act by reason of Sections
7 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

8 (10) For a member who first became an employee under
9 this Article before July 1, 2005, the term "security
10 employee of the Department of Corrections or the Department
11 of Juvenile Justice" means any employee of the Department
12 of Corrections or the Department of Juvenile Justice or the
13 former Department of Personnel, and any member or employee
14 of the Prisoner Review Board, who has daily contact with
15 inmates or youth by working within a correctional facility
16 or Juvenile facility operated by the Department of Juvenile
17 Justice or who is a parole officer or an employee who has
18 direct contact with committed persons in the performance of
19 his or her job duties. For a member who first becomes an
20 employee under this Article on or after July 1, 2005, the
21 term means an employee of the Department of Corrections or
22 the Department of Juvenile Justice who is any of the
23 following: (i) officially headquartered at a correctional
24 facility or Juvenile facility operated by the Department of
25 Juvenile Justice, (ii) a parole officer, (iii) a member of
26 the apprehension unit, (iv) a member of the intelligence

1 unit, (v) a member of the sort team, or (vi) an
2 investigator.

3 (11) The term "dangerous drugs investigator" means any
4 person who is employed as such by the Department of Human
5 Services.

6 (12) The term "investigator for the Department of State
7 Police" means a person employed by the Department of State
8 Police who is vested under Section 4 of the Narcotic
9 Control Division Abolition Act with such law enforcement
10 powers as render him ineligible for coverage under the
11 Social Security Act by reason of Sections 218(d)(5)(A),
12 218(d)(8)(D) and 218(1)(1) of that Act.

13 (13) "Investigator for the Office of the Attorney
14 General" means any person who is employed as such by the
15 Office of the Attorney General and is vested with such
16 investigative duties as render him ineligible for coverage
17 under the Social Security Act by reason of Sections
18 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
19 the period before January 1, 1989, the term includes all
20 persons who were employed as investigators by the Office of
21 the Attorney General, without regard to social security
22 status.

23 (14) "Controlled substance inspector" means any person
24 who is employed as such by the Department of Professional
25 Regulation and is vested with such law enforcement duties
26 as render him ineligible for coverage under the Social

1 Security Act by reason of Sections 218(d)(5)(A),
2 218(d)(8)(D) and 218(1)(1) of that Act. The term
3 "controlled substance inspector" includes the Program
4 Executive of Enforcement and the Assistant Program
5 Executive of Enforcement.

6 (15) The term "investigator for the Office of the
7 State's Attorneys Appellate Prosecutor" means a person
8 employed in that capacity on a full time basis under the
9 authority of Section 7.06 of the State's Attorneys
10 Appellate Prosecutor's Act.

11 (16) "Commerce Commission police officer" means any
12 person employed by the Illinois Commerce Commission who is
13 vested with such law enforcement duties as render him
14 ineligible for coverage under the Social Security Act by
15 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
16 218(1)(1) of that Act.

17 (17) "Arson investigator" means any person who is
18 employed as such by the Office of the State Fire Marshal
19 and is vested with such law enforcement duties as render
20 the person ineligible for coverage under the Social
21 Security Act by reason of Sections 218(d)(5)(A),
22 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
23 employed as an arson investigator on January 1, 1995 and is
24 no longer in service but not yet receiving a retirement
25 annuity may convert his or her creditable service for
26 employment as an arson investigator into eligible

1 creditable service by paying to the System the difference
2 between the employee contributions actually paid for that
3 service and the amounts that would have been contributed if
4 the applicant were contributing at the rate applicable to
5 persons with the same social security status earning
6 eligible creditable service on the date of application.

7 (18) The term "State highway maintenance worker" means
8 a person who is either of the following:

9 (i) A person employed on a full-time basis by the
10 Illinois Department of Transportation in the position
11 of highway maintainer, highway maintenance lead
12 worker, highway maintenance lead/lead worker, heavy
13 construction equipment operator, power shovel
14 operator, or bridge mechanic; and whose principal
15 responsibility is to perform, on the roadway, the
16 actual maintenance necessary to keep the highways that
17 form a part of the State highway system in serviceable
18 condition for vehicular traffic.

19 (ii) A person employed on a full-time basis by the
20 Illinois State Toll Highway Authority in the position
21 of equipment operator/laborer H-4, equipment
22 operator/laborer H-6, welder H-4, welder H-6,
23 mechanical/electrical H-4, mechanical/electrical H-6,
24 water/sewer H-4, water/sewer H-6, sign maker/hanger
25 H-4, sign maker/hanger H-6, roadway lighting H-4,
26 roadway lighting H-6, structural H-4, structural H-6,

1 painter H-4, or painter H-6; and whose principal
2 responsibility is to perform, on the roadway, the
3 actual maintenance necessary to keep the Authority's
4 tollways in serviceable condition for vehicular
5 traffic.

6 (d) A security employee of the Department of Corrections or
7 the Department of Juvenile Justice, and a security employee of
8 the Department of Human Services who is not a mental health
9 police officer, shall not be eligible for the alternative
10 retirement annuity provided by this Section unless he or she
11 meets the following minimum age and service requirements at the
12 time of retirement:

13 (i) 25 years of eligible creditable service and age 55;

14 or

15 (ii) beginning January 1, 1987, 25 years of eligible
16 creditable service and age 54, or 24 years of eligible
17 creditable service and age 55; or

18 (iii) beginning January 1, 1988, 25 years of eligible
19 creditable service and age 53, or 23 years of eligible
20 creditable service and age 55; or

21 (iv) beginning January 1, 1989, 25 years of eligible
22 creditable service and age 52, or 22 years of eligible
23 creditable service and age 55; or

24 (v) beginning January 1, 1990, 25 years of eligible
25 creditable service and age 51, or 21 years of eligible
26 creditable service and age 55; or

1 (vi) beginning January 1, 1991, 25 years of eligible
2 creditable service and age 50, or 20 years of eligible
3 creditable service and age 55.

4 Persons who have service credit under Article 16 of this
5 Code for service as a security employee of the Department of
6 Corrections or the Department of Juvenile Justice, or the
7 Department of Human Services in a position requiring
8 certification as a teacher may count such service toward
9 establishing their eligibility under the service requirements
10 of this Section; but such service may be used only for
11 establishing such eligibility, and not for the purpose of
12 increasing or calculating any benefit.

13 (e) If a member enters military service while working in a
14 position in which eligible creditable service may be earned,
15 and returns to State service in the same or another such
16 position, and fulfills in all other respects the conditions
17 prescribed in this Article for credit for military service,
18 such military service shall be credited as eligible creditable
19 service for the purposes of the retirement annuity prescribed
20 in this Section.

21 (f) For purposes of calculating retirement annuities under
22 this Section, periods of service rendered after December 31,
23 1968 and before October 1, 1975 as a covered employee in the
24 position of special agent, conservation police officer, mental
25 health police officer, or investigator for the Secretary of
26 State, shall be deemed to have been service as a noncovered

1 employee, provided that the employee pays to the System prior
2 to retirement an amount equal to (1) the difference between the
3 employee contributions that would have been required for such
4 service as a noncovered employee, and the amount of employee
5 contributions actually paid, plus (2) if payment is made after
6 July 31, 1987, regular interest on the amount specified in item
7 (1) from the date of service to the date of payment.

8 For purposes of calculating retirement annuities under
9 this Section, periods of service rendered after December 31,
10 1968 and before January 1, 1982 as a covered employee in the
11 position of investigator for the Department of Revenue shall be
12 deemed to have been service as a noncovered employee, provided
13 that the employee pays to the System prior to retirement an
14 amount equal to (1) the difference between the employee
15 contributions that would have been required for such service as
16 a noncovered employee, and the amount of employee contributions
17 actually paid, plus (2) if payment is made after January 1,
18 1990, regular interest on the amount specified in item (1) from
19 the date of service to the date of payment.

20 (g) A State policeman may elect, not later than January 1,
21 1990, to establish eligible creditable service for up to 10
22 years of his service as a policeman under Article 3, by filing
23 a written election with the Board, accompanied by payment of an
24 amount to be determined by the Board, equal to (i) the
25 difference between the amount of employee and employer
26 contributions transferred to the System under Section 3-110.5,

1 and the amounts that would have been contributed had such
2 contributions been made at the rates applicable to State
3 policemen, plus (ii) interest thereon at the effective rate for
4 each year, compounded annually, from the date of service to the
5 date of payment.

6 Subject to the limitation in subsection (i), a State
7 policeman may elect, not later than July 1, 1993, to establish
8 eligible creditable service for up to 10 years of his service
9 as a member of the County Police Department under Article 9, by
10 filing a written election with the Board, accompanied by
11 payment of an amount to be determined by the Board, equal to
12 (i) the difference between the amount of employee and employer
13 contributions transferred to the System under Section 9-121.10
14 and the amounts that would have been contributed had those
15 contributions been made at the rates applicable to State
16 policemen, plus (ii) interest thereon at the effective rate for
17 each year, compounded annually, from the date of service to the
18 date of payment.

19 (h) Subject to the limitation in subsection (i), a State
20 policeman or investigator for the Secretary of State may elect
21 to establish eligible creditable service for up to 12 years of
22 his service as a policeman under Article 5, by filing a written
23 election with the Board on or before January 31, 1992, and
24 paying to the System by January 31, 1994 an amount to be
25 determined by the Board, equal to (i) the difference between
26 the amount of employee and employer contributions transferred

1 to the System under Section 5-236, and the amounts that would
2 have been contributed had such contributions been made at the
3 rates applicable to State policemen, plus (ii) interest thereon
4 at the effective rate for each year, compounded annually, from
5 the date of service to the date of payment.

6 Subject to the limitation in subsection (i), a State
7 policeman, conservation police officer, or investigator for
8 the Secretary of State may elect to establish eligible
9 creditable service for up to 10 years of service as a sheriff's
10 law enforcement employee under Article 7, by filing a written
11 election with the Board on or before January 31, 1993, and
12 paying to the System by January 31, 1994 an amount to be
13 determined by the Board, equal to (i) the difference between
14 the amount of employee and employer contributions transferred
15 to the System under Section 7-139.7, and the amounts that would
16 have been contributed had such contributions been made at the
17 rates applicable to State policemen, plus (ii) interest thereon
18 at the effective rate for each year, compounded annually, from
19 the date of service to the date of payment.

20 Subject to the limitation in subsection (i), a State
21 policeman, conservation police officer, investigator for the
22 Office of the Attorney General, or investigator for the
23 Secretary of State may elect to establish eligible creditable
24 service for up to 5 years of service as a police officer under
25 Article 3, a policeman under Article 5, a sheriff's law
26 enforcement employee, a person employed by a participating

1 municipality to perform police duties, or law enforcement
2 officer employed on a full-time basis by a forest preserve
3 district under Article 7, a member of the county police
4 department, a county corrections officer, or a court services
5 officer under Article 9, or a police officer under Article 15
6 by filing a written election with the Board and paying to the
7 System an amount to be determined by the Board, equal to (i)
8 the difference between the amount of employee and employer
9 contributions transferred to the System under Section 3-110.6,
10 5-236, 7-139.8, 9-121.10, or 15-134.4 and the amounts that
11 would have been contributed had such contributions been made at
12 the rates applicable to State policemen, plus (ii) interest
13 thereon at the effective rate for each year, compounded
14 annually, from the date of service to the date of payment.

15 (i) The total amount of eligible creditable service
16 established by any person under subsections (g), (h), (j), (k),
17 and (l) of this Section shall not exceed 12 years.

18 (j) Subject to the limitation in subsection (i), an
19 investigator for the Office of the State's Attorneys Appellate
20 Prosecutor or a controlled substance inspector may elect to
21 establish eligible creditable service for up to 10 years of his
22 service as a policeman under Article 3 or a sheriff's law
23 enforcement employee under Article 7, by filing a written
24 election with the Board, accompanied by payment of an amount to
25 be determined by the Board, equal to (1) the difference between
26 the amount of employee and employer contributions transferred

1 to the System under Section 3-110.6 or 7-139.8, and the amounts
2 that would have been contributed had such contributions been
3 made at the rates applicable to State policemen, plus (2)
4 interest thereon at the effective rate for each year,
5 compounded annually, from the date of service to the date of
6 payment.

7 (k) Subject to the limitation in subsection (i) of this
8 Section, an alternative formula employee may elect to establish
9 eligible creditable service for periods spent as a full-time
10 law enforcement officer or full-time corrections officer
11 employed by the federal government or by a state or local
12 government located outside of Illinois, for which credit is not
13 held in any other public employee pension fund or retirement
14 system. To obtain this credit, the applicant must file a
15 written application with the Board by March 31, 1998,
16 accompanied by evidence of eligibility acceptable to the Board
17 and payment of an amount to be determined by the Board, equal
18 to (1) employee contributions for the credit being established,
19 based upon the applicant's salary on the first day as an
20 alternative formula employee after the employment for which
21 credit is being established and the rates then applicable to
22 alternative formula employees, plus (2) an amount determined by
23 the Board to be the employer's normal cost of the benefits
24 accrued for the credit being established, plus (3) regular
25 interest on the amounts in items (1) and (2) from the first day
26 as an alternative formula employee after the employment for

1 which credit is being established to the date of payment.

2 (l) Subject to the limitation in subsection (i), a security
3 employee of the Department of Corrections may elect, not later
4 than July 1, 1998, to establish eligible creditable service for
5 up to 10 years of his or her service as a policeman under
6 Article 3, by filing a written election with the Board,
7 accompanied by payment of an amount to be determined by the
8 Board, equal to (i) the difference between the amount of
9 employee and employer contributions transferred to the System
10 under Section 3-110.5, and the amounts that would have been
11 contributed had such contributions been made at the rates
12 applicable to security employees of the Department of
13 Corrections, plus (ii) interest thereon at the effective rate
14 for each year, compounded annually, from the date of service to
15 the date of payment.

16 (m) The amendatory changes to this Section made by this
17 amendatory Act of the 94th General Assembly apply only to: (1)
18 security employees of the Department of Juvenile Justice
19 employed by the Department of Corrections before the effective
20 date of this amendatory Act of the 94th General Assembly and
21 transferred to the Department of Juvenile Justice by this
22 amendatory Act of the 94th General Assembly; and (2) persons
23 employed by the Department of Juvenile Justice on or after the
24 effective date of this amendatory Act of the 94th General
25 Assembly who are required by subsection (b) of Section 3-2.5-15
26 of the Unified Code of Corrections to have a bachelor's or

1 advanced degree from an accredited college or university with a
2 specialization in criminal justice, education, psychology,
3 social work, or a closely related social science or, in the
4 case of persons who provide vocational training, who are
5 required to have adequate knowledge in the skill for which they
6 are providing the vocational training.

7 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06; 95-530,
8 eff. 8-28-07.)

9 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

10 Sec. 15-134.4. Transfer of creditable service to the
11 Article 5 Pension Fund or Article 14 System.

12 (a) An active member of the Pension Fund established under
13 Article 5 of this Code may apply, not later than January 1,
14 1990, to transfer his or her credits and creditable service
15 accumulated under this System for service with the City
16 Colleges of Chicago teaching in the Criminal Justice Program,
17 to the Article 5 Fund. Such credits and creditable service
18 shall be transferred forthwith.

19 Payment by this System to the Article 5 Fund shall be made
20 at the same time and shall consist of:

21 (1) the amounts credited to the applicant for such
22 service through employee contributions, including
23 interest, as of the date of transfer; and

24 (2) employer contributions equal in amount to the
25 accumulated employee contributions as determined in item

1 (1).

2 Participation in this System with respect to such credits shall
3 terminate on the date of transfer.

4 (b) Any active member of the State Employees' Retirement
5 System who is a State policeman, an investigator for the Office
6 of the Attorney General, an investigator for the Secretary of
7 State, or a conservation police officer may apply for transfer
8 of some or all of his or her creditable service accumulated in
9 this System for service as a police officer to the State
10 Employees' Retirement System in accordance with Section
11 14-110. The creditable service shall be transferred only upon
12 payment by this System to the State Employees' Retirement
13 System of an amount equal to:

14 (1) the amounts accumulated to the credit of the
15 applicant for the service to be transferred, including
16 interest, as of the date of transfer; and

17 (2) employer contributions equal in amount to the
18 accumulated employee contributions as determined in item
19 (1); and

20 (3) any interest paid by the applicant to reinstate
21 such service.

22 Participation in this System as to any credits transferred
23 under this Section shall terminate on the date of transfer.

24 (c) Any person applying to transfer service under
25 subsection (b) may reinstate credits and creditable service
26 terminated upon receipt of a refund by paying to the System the

1 amount of the refund plus interest thereon at the rate of 6%
2 per year from the date of the refund to the date of payment.

3 (Source: P.A. 95-530, eff. 8-28-07.)

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.33 as follows:

6 (30 ILCS 805/8.33 new)

7 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
8 of this Act, no reimbursement by the State is required for the
9 implementation of any mandate created by this amendatory Act of
10 the 96th General Assembly.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.